

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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K P SANGHVI & SONS,

Case No.: 06 CIV 5751 (HB)

Plaintiff,

-v-

NOTICE OF MOTION

M. FABRIKANT & SONS, INC.,

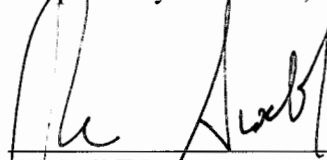
Defendant.

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PLEASE TAKE NOTICE that upon the annexed affidavit of Robert N. Swetnick sworn to on November 14, 2006, the attached Memorandum of Law and upon Plaintiff's Motion for Summary Judgment and all prior pleadings herein herein, Plaintiff K P Sanghvi & Sons hereby moves this Court for Summary Judgment against Defendant M. Fabrikant & Sons, Inc. pursuant to FRCP 56(c) before Honorable Harold Baer, Jr., U.S.D.J. in Room 2230, United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court.

Dated: New York, New York
November 14, 2006

Respectfully submitted,



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